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FOLEY &amp; LARDNER LLP

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## FACSIMILE TRANSMISSION

Total # of Pages 4 (including this page)

TO:	PHONE #:	FAX #:
Examiner Carl D. Price Group Art Unit: 3749 Commissioner for Patents	(571) 272-4880	(571) 273-8300

From : Stephen E. Reiter *SR*

Email Address : sreiter@foley.com

Sender's Direct Dial : 858.847.6711

Date : October 10, 2006

Client/Matter No : SOLAR1120-3 (051264-0306)

User ID No : 1877

## MESSAGE:

Re: U.S. Patent Application No. 10/039,277

Following are:

- Notice of Appeal from the Examiner to the Board of Patent Appeals and Interferences (2 pgs.)
- Credit Card Payment Form (1 pg.)

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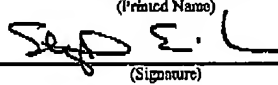
NO. 5996 P. 2

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Atty. Dkt. No. SOLAR1120-3  
(051264-0306)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Frank D. Husson, Jr.  
Title: SOLAR WATER HEATER AND  
PASTEURIZER  
Appl. No.: 10/039,277  
Filing Date: 1/4/2002  
Examiner: Carl D. Price  
Art Unit: 3749  
Confirmation Number: 1245

<b>CERTIFICATE OF FACSIMILE TRANSMISSION</b> I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below.  Stephen E. Reiter (Printed Name)   (Signature)  October 10, 2006 (Date of Deposit)
--

**NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD  
OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the Examiner in the Final Office Action dated July 10, 2006, finally rejecting Claims 1, 3, 6, 7, 9, 12-15, 17-22, 26, 37-39, 43, 44 and 47.

☒ [ X ] Applicant claims small entity status.

☐ [ ] Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

☒ [ X ] Notice of Appeal Fee

☒ [ X ] To be paid as detailed below

☐ [ ] Not required (Fee paid in prior appeal)

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OCT 10 2006

In re application of  
Frank D. Husson, Jr.  
Application No.: 10/039,277  
Page 2 of 2

Atty. Dkt. No. SOLAR1120-3  
(051264-0306)

The required fees are calculated below:

<input checked="" type="checkbox"/>	Notice of Appeal Fee	\$500.00
<input type="checkbox"/>	Extension month:	\$0.00
<input type="checkbox"/>	Extension:	\$0.00
	FEE TOTAL:	\$500.00
<input checked="" type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):	\$250.00
	TOTAL FEE:	\$250.00

A credit card payment form in the amount of \$250.00 is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by the credit card payment form being unsigned, providing incorrect information resulting in a rejected credit card transaction, or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date October 10, 2006

By 

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